

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,

Plaintiff,

DECISION AND ORDER

19-CR-6099DGL

v.

JAMES VONGXAY,

Defendant.

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Defendant James Vongxay (“Vongxay”) pleaded guilty to conspiring to distribute 50 kilograms or more of marijuana. On December 28, 2019, this Court sentenced Vongxay principally to a term of imprisonment of 24 months, followed by a three-year term of supervised release. Vongxay has completed his term of imprisonment and now moves, *pro se*, (Dkt. #175) for early termination of his term of supervised release. (Dkt. #175). The Probation Office notes that Vongxay is in compliance with all of the terms of supervised release and that office does not oppose the request. (Dkt. #177).

The Government, however, has filed a Letter-Response (Dkt. #178) opposing Vongxay’s request for early termination. As the Government notes, it is commendable that Vongxay has complied with all of the required conditions of supervised release but that is expected and compliance does not necessarily warrant early termination of supervised release and supervision by the Probation Office. Vongxay was convicted of a serious drug conspiracy involving kilograms of marijuana. That activity occurred over a substantial period of time. The Court

believed at the time of sentencing that a three-year term of supervision was appropriate and I see no reason now to change that.

The conditions of supervised release do not appear to be particularly onerous and Vongxay makes no specific claim that the terms of supervision have any particular adverse impact on him. According to the Government, Vongxay has completed approximately 22 months of his three-year term of supervision and he is, therefore, fairly close to completing the three-year term requirement.

### CONCLUSION

Defendant James Vongxay's motion for early termination of supervised release (Dkt. #175) is DENIED.

IT IS SO ORDERED.

A handwritten signature in black ink, reading "David G. Larimer", is positioned above a horizontal line.

DAVID G. LARIMER  
United States District Judge

Dated: Rochester, New York  
November 14, 2023.